IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 31ST JANUARY 2007 / 11TH MAGHA 1928

Bail Appl..No. 446 of 2007()

CRMP.14/2007 of J.M.F.C.-II, MANANTHAVADY
(ARISING OUT OF CRIME NO.1/2007 OF EXCISE RANGE, MANANTHAADY)

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PETITIONER/ACCUSED

PRAKASH, S/O.DAMODARN, AGED 29 YEARS,
NELLAKUNNEL VEEDU, NAGAMANA, THAMBATTA,
THRIRUNELLY, MANATHAADY.

BY ADV. SRI.P.S.BASTIN
SRI.DEVAN K.MENON

RESPONDENTS: STATE AND COMPLAINANTS

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1. **STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.**

2. **THE EXCISE INSPECTOR, MANANTHAVADY RANGE, MANANTHAVADY, WYNAD DISTRICT.**

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 446 OF 2007 A

Dated this the 31st day of January, 2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner, who is the accused in C.R. No.1/2007 of Mananthavady Excise Range for offences punishable under Sec.8 (1) and 8(2) of the Abkari Act for having been found in possession of 2 liters of illicit arrack, seeks his enlargement on bail. Petitioner was arrested on 01-01-2007.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-II, Mananthavady and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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